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Dkt. 0575/61136/JPW/AJM/AJD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Andrew R. Marks and Steven O. Marx

U.S. Serial No.: 09/766,944 Examiner: A.M. Harris

Filed: January 22, 2001 Art Unit: 1642

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1185 Avenue of the Americas
New York, New York 10036
April 4, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

This Supplemental Information Disclosure Statement is submitted under 37 C.F.R. §1.97(c)(2) to supplement the Information Disclosure Statements filed April 20, 2001, May 24, 2002 and October 27, 2004 in connection with the above-identified application.

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants direct the Examiner's attention to the following reference which is listed on the attached Form PTO-1449 (**Exhibit A**), and attached hereto as **Exhibit 1**:

1. Communication Pursuant To Article 96(2) EPC, issued December 27, 2004 by the European Patent Office in connection with European Patent Application No. 02 707 550.6-2401 (**Exhibit 1**).

The Examiner is respectfully requested to make this reference of record in the present application by initialing and returning a copy of the enclosed Form PTO-1449.

Applicants note that the nine references, D1 to D4, cited in the

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December 27, 2004 Communication (**Exhibit 1**) are not listed above because these references have been made of record in the subject application, having been cited to the Examiner in previously submitted Information Disclosure Statements. Specifically, D1 and D2 were cited in the Supplemental Information Disclosure Statement filed May 24, 2002; D3 and D5 to D9 were cited in the Supplemental Information Disclosure Statement filed October 27, 2004; and D4 was cited in the Information Disclosure Statement filed April 20, 2001 in the subject application.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone them at the number provided below.

Pursuant to 37 C.F.R. §1.97(c)(2) and 1.17(p), a fee of one hundred and eighty dollars (\$180.00) is required for filing this Supplemental Information Disclosure Statement. Accordingly, a check in the amount of ONE HUNDRED EIGHTY DOLLARS (\$180.00) is enclosed. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
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7/4/01

Alan J. Morrison
Reg. No. 37,399

Date

U.S. Department of Commerce
Patent and Trademark Office

INFORMATION DISCLOSURE STATEMENT
(Use back of sheet if necessary)

Form PTO-1449	APR 06 2005	SCAB
O I P E		
Application Number	09/766,944	
Filing Date	January 22, 2001	
First Named Inventor	Andrew R. Marks	
Art Unit	1642	
Examiner Name	A.M. Harris	
Attorney Docket No.	61136/JPW/AJM/AJD	

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	Communication Pursuant To Article 96(2) EPC, issued December 27, 2004 by the European Patent Office in connection with European Patent Application No. 02 707 550.6-2401.	

EXAMINER SIGNATURE	DATE CONSIDERED

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.¹Applicant's unique citation designation number (optional).²See Kinds of Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.⁶Applicant is to place a check mark here if English Language Translation is attached.

Applicants: Andrew R. Marks et al.
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Exhibit A